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October 20, 2005

### BY HAND & ELECTRONIC FILING

Honorable Nina Gershon United States District Judge United States District Court Eastern District of New York 225 Cadman Plaza East Brooklyn, New York 11201

Re: Almog, et al. v. Arab Bank, PLC, 04-5564 (NG) (VVP)

Afriat-Kurtzer, et al. v. Arab Bank, PLC, 05-388 (NG) (VVP)

Dear Judge Gershon:

We represent Arab Bank plc ("Arab Bank"). I write to request the Court's permission to serve and file the enclosed Supplemental Declaration of Professor Stefan Talmon, University Lecturer in Public International Law at Oxford University, in further support of the motions to dismiss that are presently pending with respect to the two actions referenced above.

Professor Talmon's Supplemental Declaration addresses recent developments since July 22, 2005, the date on which Arab Bank's reply papers were filed, that are relevant to the pending motions. In particular, Professor Talmon's Supplemental Declaration discusses (1) Resolution 1624 of the United Nations Security Council on September 14, 2005, (2) the outcome of the 2005 World Summit, held on September 14-16, 2005 and (3) recent

### Case 1:04-cv-05564-NG-VVP Document 75 Filed 10/20/05 Page 2 of 5

Hon. Nina Gershon October 20, 2005 Page 2

developments regarding the Financing and Bombing Conventions, both of which are the subject of extensive discussion in the pending submissions.

Respectfully submitted,

Kevin Walsh

Enclosure

cc: All counsel on attached service list (w/enclosure)

Hon. Nina Gershon October 20, 2005 Page 3

### **SERVICE LIST**

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Hon. Nina Gershon October 20, 2005 Page 4

# IN LINDE, ET AL. v. ARAB BANK, PLC, CV 04-2799 & COULTER, ET AL. v. ARAB BANK, PLC, CV 05-365

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### Case 1:04-cv-05564-NG-VVP Document 75 Filed 10/20/05 Page 5 of 5

Hon. Nina Gershon October 20, 2005 Page 5

## IN ALMOG, ET AL. . v. ARAB BANK, PLC, CV 04-5564 & AFRIAT-KURTZER, ET AL. V. ARAB BANK, PLC, CV 05-388

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